

08-03-'04 11:14 FROM-Lerner & Greenberg

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T-182 P13/16 U-646

Response Dated August 3, 2004

Responsive to Office Action of June 15, 2004

Remarks:

Reconsideration of the application is requested.

Claims 1 to 21 remain in the application. Claims 4 and 16 have been amended.

In item 3 on pages 2 to 3 of the above-identified Office action, claims 1 to 11 have been rejected as being indefinite under 35 U.S.C. § 112, first paragraph.

More specifically, the Examiner states: "applicants amended the claims to limit the claimed method to be applied in a household dishwasher. At the same time claim 4 and new claim 16 recite the cleaning medium being solid, liquid, gas and mixtures thereof. The original disclosure teaches only liquid as a cleaning medium for the household dishwasher. Thus, the original disclosure fails to support a method for a household dishwasher wherein the cleaning medium is not a liquid."

(Emphasis added by applicants.)

The Examiner is correct, but only in part. Claims 4 and 16 contained a typographical error, which has been corrected by the instant amendment. Specifically, a "detergent" was missing from the claim. Now, the cleaning medium in claims 4 and 16 clearly sets forth that it "includes a detergent"

~~APPRISE NO. 10/015,000~~

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selected from the group of liquid and solid. No new matter has been added. As detergent is selected from a solid and a liquid and the cleaning medium is a liquid that can contain the detergent, there is no conflict with the cleaning medium being a liquid as set forth in the specification.

It is respectfully noted that applicants have removed the references to "gaseous form" not because of the Examiner's comments. One skilled in the art knows that gaseous detergent is used presently in household dishwashers, for example, in the form of ozone. Applicants have only removed the references to gaseous form to place the instant application in a condition for allowance and respectfully reserve the right to file a divisional application including the features of claims 4 and 16 before the instant amendment.

It is accordingly believed that the specification and the claims meet the requirements of 35 U.S.C. § 112, first paragraph. The above noted changes to the claims are provided solely for the purpose of clarity. The changes are neither provided for overcoming the prior art nor do they narrow the scope of the claim for any reason related to the statutory requirements for a patent.

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Appl. No. 10/073,555

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In item 2 on pages 2 to 3 of the above-identified Office action, the Examiner objected to the March 11, 2004 amendment as introducing new matter into the disclosure. In light of the above, applicants respectfully believe that the Examiner's interpretation is, now, moot and that this objection has been overcome.

It is accordingly believed to be clear that no reference shows or suggests the features of claims 1 to 21.

In view of the foregoing, reconsideration and allowance of claims 1 to 21 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

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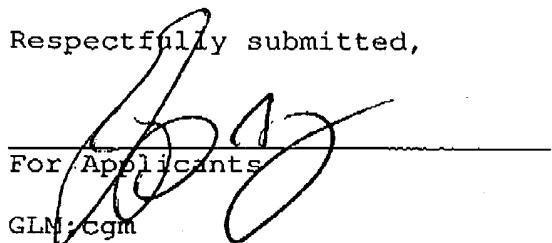
Applic. No. 10/073,555

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Please charge any fees that might be due with respect to  
Sections 1.16 and 1.17 to the Deposit Account of Lerner and  
Greenberg, P.A., No. 12-1099.

Respectfully submitted,

  
For Applicants

GLM:cgm

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August 3, 2004

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